

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Allegation of corruption leveled against Sri M.S. Vara Prasad, while working as Mandal Revenue Inspector, Kothapalli Mandal, Kurnool district – trapped by ACB – Convicted – Punishment imposed – Orders issued.

[illegible]

REVENUE VIGILANCE (VII) DEPARTMENT

G.O.Ms.No. 1112

Date: 16.9.2008

Read the following:

1. From the D.G., ACB Lr.No. 132/aRCT-KUR/99, dated 7.9.1999
2. G.O.Ms.No.195, Revenue, dated 07.04.2000
3. From the D.G., ACB Lr.No.132/RCT-KUR/1998S6, dt.27.10.2005
4. Govt.Memo.No.10092/Vig.VII (1)/2006, dt.3.4.2006
5. Govt.Memo.No.10092/Vig.VII (1)/2006-3, dt.24.05.2008
6. From Sri M.S. Varaprasad, representation dt.2.8.2008
7. From the Collector, Kurnool Lr.No.A5/3831/98, dt.16.8.2008

ORDER:-

Whereas Sri M.S. Varaprasad, while working as Mandal Revenue Inspector, Kothapalli Mandal, Kurnool district was trapped by the Anti Corruption Bureau on the allegation of demand and acceptance of bribe of Rs.2,000/- from Sri Boya Raghuramudu, the complainant for doing official favour i.e. for preparing favourable report in issue of 'D' form patta for agricultural land and for issue of pass book in the favour of Sri Boya Lakshmaiah grand son of the complainant., thereby guilty of misconduct . As a prima facie case has been established, the case has been entrusted to the Additional Special Judge for SPE & ACB cases, Hyderabad for enquiry, which was registered as Calendar Case No.14 of 2000 under Section 7 13 (1) (d) read with Section 13 (2) of P.C .Act, 1988). The Addl. Special Judge for SPE & ACB cases conducted enquiry and submitted its report on 26.9.2005 informing that Sri M.S. Prasad, i.e. the accused officer is found guilty of the charges framed against him under Section 7 and Section 13 (1) (d) read with Section 13 (2) of Prevention of Corruption Act, 1988 and he is convicted under Section 248 (2) of Cr P.C. It was also ordered therein that the accused officer is sentenced to undergo rigorous imprisonment for a period of 2 years and to pay a fine of Rs.1000/- in default to under S.I. for a period of three months for the offence under Section 7 of P.C.Act 1988, and the accused officer is sentenced to under go R.I. for a period of 2 years and to pay a fine of Rs.1000/- in default to undergo S.I. for a period of three months for the offence under Section 13 (1) (d) read with Section 13 (2) of P.C. Act, 1988. While furnishing its judgment, requested the Government to take action.

2. And whereas, Government have examined the report of the Addl. Special Judge for SPE & ACB cases and decided to take action as per clause (i) of rule 25 of APCS (CCA) Rules, 1991. The penalty that should be imposed in a case of proven bribery and corruption as per first proviso of Rule 9 of APCS (CCA) Rules, 1991 read with G.O.Ms.No.2, GAD, dt.4.1.1999 is dismissal from service. The misconduct thus established against Sri M.S. Varaprasad, while working as Mandal Revenue Inspector by the enquiry of Addl.Special Judge for SPE & ACB cases. While the matter is under process, Sri M.S. Varaprasad, retired from service on attaining the age of superannuation. Thus the punishment could not be imposed on him.

3. And whereas, Government have continued the disciplinary proceedings under Revised Pension Rules, 1980 and provisionally decided to impose punishment of withholding of full pension and entire gratuity. Accordingly, a show cause notice has

been issued to Sri M.S. Varaprasad, to submit his explanation if any, on his defence on the provisional decision of the Government vide reference 5th read above. Sri Varaprasad submitted his explanation, stating that he was appointed through Service Commission; that he filed appeal before the High Court on the conviction order issued in CC No.14/2000 dt.26.9.2005; that the High Court issued bail order pending disposal of criminal appeal; that APPSC concurrence is required for issue of final order. While stating, he has requested to issue orders as deem fit on the analogy of the facts submitted by him.

4. And whereas Government have examined the explanation of the accused officer and observed that the misconduct thus established against him by his conviction on a criminal charge is grave which attracts action as per Rule 9 of Revised Pension Rules, 1988, read with G.O.Ms.No.240, GAD, dt.14.8.2003, and decided to confirm the provisional decision taken by the Government as indicated at para-3 above.

5 Accordingly, in terms of Rule 9 of A.P. Revised Pension Rules, 1988 read with G.O.Ms.No.240, GAD, dt.14.8.2003, Government hereby order to impose punishment of withholding of pension and gratuity in full permentaly on Sri M.S. Varaprasad, Mandal Revenue Inspector, Kothapalli Mandal, Kurnool district now retired.

6. The Special Chief Secretary and Chief Commissioner of Land Administration, Hyderabad/ Collector, Kurnool shall take further action as ordered at para 5 above.

To

The individual through Collector, Kurnool

The Collector, Kurnool District

The Special Chief Secretary and Chief Commissioner of Land Administration, Hyderabad

Copy to Vigilance Commission, Secretariat

The Director General, Anti Corruption Bureau, Hyderabad